

86  
HARDY AND CAREY, L.L.P.  
ATTORNEYS AT LAW  
110 VETERANS BOULEVARD  
SUITE 300  
METAIRIE, LOUISIANA 70005  
TELEPHONE: 504-830-4646  
TELEFAX 504-830-4659

April 28, 2000

DOCKET FILE COPY ORIGINAL  
RECEIVED

MAY 01 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**By Hand**

Ms. Magalie Roman Salas, Esq.  
Secretary  
Federal Communications Commission  
The Portals, 445 12<sup>th</sup> Street S.W.  
Washington, DC 20554

2313.001

RECEIVED

MAY 01 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: Amendment To  
Petition for Rule Making  
DTV Table of Allotments  
Cocoa, Florida**

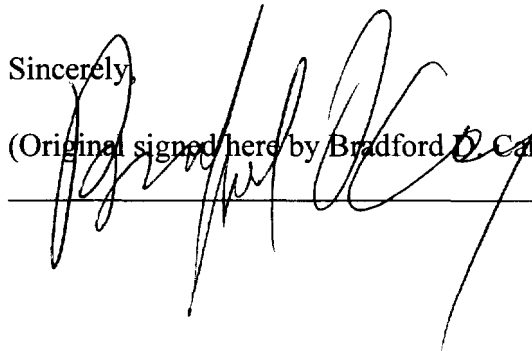
Dear Ms. Salas:

I forward herewith an original and four (4) copies of an Amendment to the pending Petition of Rule Making to Amend section 73.622, the Digital TV Table of Allotments at Cocoa, Florida. The petition, as hereby amended, seeks substitution of channel 42 at Cocoa, Florida for use by station WTGL-DT.

As always, please feel free to call me with any questions which you might have regarding this matter. With the best of regards, I am,

Sincerely,

(Original signed here by Bradford D. Carey)



BDC:ap

T:\0004281etFCCAmendPR.wpd

No. of Copies rec'd 014  
List ABCDE

MMB

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

**RECEIVED**

MAY 01 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Amendment of Section 73.622 )

of the Commission's Rules )

Table of Allotments, )

Digital Television Stations )

Cocoa, Florida )

RM- \_\_\_\_\_

MM Docket No. \_\_\_\_\_

To: Chief, Allocations Branch,  
Mass Media Bureau

***AMENDMENT TO***  
**PETITION FOR RULE MAKING**

April 28, 2000

Good Life Broadcasting, Inc.  
By its Attorneys,

Bradford D. Carey  
Ashton R. Hardy

Hardy & Carey, L.L.P.  
110 Veterans Blvd.  
Suite 300  
Metairie, Louisiana 70005  
(504) 830-4644

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

**Amendment to Petition for Rule Making**

Good Life Broadcasting, Inc. (“Good Life”), licensee of television station WTGL-TV, Cocoa, Florida, through counsel hereby amends its pending Petition for Rule Making, which seeks substitution of another channel for channel 51, which is specified in Section 73.622 of the Commission’s Rules as the DTV allotment for use in conjunction with WTGL-TV, Cocoa, Florida.

Pursuant to Sections 1.401, 1.420, 73.623 and 73.624 of the Commission's Rules, Good Life filed a Petition with the Commission to amend section 73.622, the Digital TV Table of Allotments, by substitution of another channel<sup>1</sup> (at a site located in the Orlando “antenna farm”) for channel 51, Cocoa, Florida.

**This Amendment seeks substitution of channel 42 for presently specified channel 51 at Cocoa for WTGL-DT.**

---

<sup>1</sup>The original Petition sought channel 25 as the substituted channel. Channel 25 no longer is available due to the relocation of station WBSV-TV, Venice Florida much closer to the proposed WTGL-DT Bithlo site.

Channel 51 was assigned for use by WTGL-TV, Cocoa, in the Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order in MM Docket No. 87-268. (the "Order") with an effective radiated power ("ERP") of 154.7 kilowatts and an antenna height above average terrain ("HAAT") of 285 meters.

Presently, WTGL-TV operates its NTSC station on channel 52 with an ERP of 4,680 kilowatts with an HAAT of 285 meters. Good Life, through this Amended Petition, proposes to operate WTGL-DT on channel 42 with an ERP of 45 kilowatts maximum directional antenna radiation at an antenna HAAT of 519 meters. (*See* Technical Exhibit, Exhibit One hereto)

No other changes to the Table of Digital TV Allotments are required for implementation of the change sought by Good Life.

**I. THE CHANGES CAN BE MADE IN FULL COMPLIANCE WITH THE COMMISSION'S TECHNICAL RULES.**

The proposed channel 42 allotment would comply with all Commission's Rules. (*See* Engineering Statement)

**A. The Proposed Allotment Complies With The 2%/10% Rule.**

Under the Commission's rules, a DTV station may propose interference to up to 2% of the population served by another DTV station provided that the station would not receive interference in more than 10% of its total population. Compliance with these requirements of §73.623(c)(2) is demonstrated in the attached Technical Exhibit.

**B. From The Proposed Allotment Reference Area, The Requisite 41 dbu Signal Can Be Placed Over The Entire Community of License.**

The Technical Exhibit demonstrates that the proposed facilities located in the specified Bithlo tower farm area will place the requisite 41 dbu signal F(50,90) over the station's entire community of license as specified in §73.625 of the Commission's Rules. Moreover, this amendment demonstrates that the entire community of license will be illuminated by a premium signal in excess of the 57 dBu (f 50,90) level proposed in the Biennial Review.

**II. THE PUBLIC INTEREST BENEFITS OF THE PROPOSED CHANGES ARE COMPELLING.**

The public interest will be well served by adoption of the proposed change to the table of allotments.

**A. The Channel 42 Facilities Will Provide Service to a Superior Area.**

The proposed channel 42 facilities specified in this Amendment would provide service to an area and population superior to those specified in the Table of Allotments.

**B. Receiving Antenna Orientation Will Be Simplified.**

Many of the existing stations serving the DMA in which WTGL is located have DTV transmitter sites in the Bithlo antenna farm area. As discussed in the Engineering Exhibit attached to the original Petition for Rule Making, the presently allotted channel, 51, can not be sited at Bithlo. Thus, viewers would experience substantial problems with receiving antenna orientation were Good Life

to build WTGL-DT on channel 51. Channel 42, however, can be sited at the Bithlo antenna farm, thus removing a potential major problem for those with home receiving antennas.

**III. ADOPTION OF THE PROPOSED CHANGES WILL RESULT IN A MORE PREFERENTIAL ARRANGEMENT OF ALLOTMENTS.**

Adoption of the proposed amendment to the DTV Table of Allotments will permit WTGL, the only commercial TV station allotted to Cocoa, to better compete in the digital world. Receiving antenna orientation problems will be minimized for the substantially large population in the service area. Thus, the changes to the table of allotments proposed herein will result in a more preferential arrangement of allotments and a more equitable distribution of broadcast stations among the various communities as contemplated by Section 307(b) of the Communications Act.

**IV. IF GRANTED, THE MODIFICATIONS WILL BE IMPLEMENTED.**

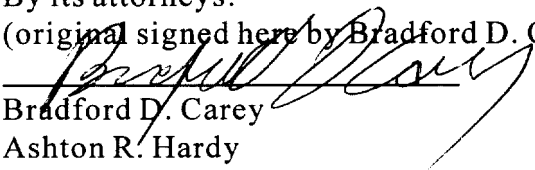
Good Life commits that if the Commission adopts the changes proposed herein, an application will be promptly filed for a construction permit to specify operations on the new channel at the revised reference area and, if a construction permit is granted, facilities will be constructed and operated on the revised allotment.

**V. CONCLUSION: THE PUBLIC INTEREST WOULD BE SERVED BY ADOPTION OF THE PROPOSED MODIFICATION TO THE TABLE OF ALLOTMENTS AND THE COMMISSION SHOULD PROCEED WITH A RULE MAKING PROCEEDING TO ADOPT IT.**

In view of the foregoing, it is clear that the public interest would be well served by implementation of the change proposed in this Petition. It is respectfully submitted that the changes proposed in this Petition and the attached Engineering Exhibit are fully consistent with the Commission's policies and rules.

Wherefore, premises considered, it is respectfully urged that the Commission accept this Petition for Rule Making, issue a Notice of Proposed Rule Making and, after due proceedings, amend 47 C.F.R. §73.622, the Digital TV Table of Allotments, as follows:

<u>City (all California)</u>	<u>Present</u>	<u>Proposed</u>
Cocoa, FL	*30, 51	*30, 42

Respectfully Submitted,  
Good Life Broadcasting, Inc.  
By its attorneys:  
(original signed here by Bradford D. Carey)  
  
Bradford D. Carey  
Ashton R. Hardy  
Hardy & Carey, LLP  
110 Veterans Memorial Blvd Suite 300  
Metairie, LA 70005  
(504) 830-4646

April 28, 2000

T:\2313.001\AmendedPetitRulemakingR4.wpd

# EXHIBIT ONE

## Engineering Exhibit



TECHNICAL EXHIBIT  
AMENDMENT TO THE PETITION FOR  
RULEMAKING SUPPORTING A NEW  
DTV ALLOTMENT CHANNEL FOR  
STATION WTGL-TV  
COCOA, FLORIDA  
CH 42 45 KW (MAX-DA) 519 M

Technical Narrative

This Technical Exhibit supports an amendment to the petition for rulemaking to change the allotted DTV channel for television station WTGL-TV at Cocoa, Florida (Facility ID 24582). The pending petition for rulemaking requests a change to channel 25 with a non-directional 60 kilowatts effective radiated power (ERP) and antenna height above average terrain (HAAT) of 513 meters located in the Orlando (Bithlo) “antenna farm” (BPRM-19991029ZN).

Station WTGL-DT hereby requests a change in DTV allotment channel to 42 at the same Bithlo transmitter site (28-34-52 N, 81-04-30 W). The previous channel 25 allotment change is no longer available due to the relocation of station WBSV-TV, Venice, Florida. Station WBSV-TV was allotted DTV channel 25 and has recently located to a site in the Tampa “antenna farm” which is much closer to the proposed WTGL-DT Bithlo site.

Proposed Facilities

Specifically, WTGL-DT would operate with an Andrew ATW-T2 “tri-lobe” directional antenna pattern (see Figure 1) with a maximum ERP of 45 kilowatts and an antenna HAAT of 519 meters (HAAT determined from the N.G.D.C 30 second digitized terrain database).

Figure 2 is a map showing the predicted 41 dBu f(50,90) noise-limited contour and the 57 dBu f(50,90) assumed DTV "city-grade" contour (as proposed in the FCC's Biennial Review, released March 8, 2000). The average elevations from 3.2 to 16.1 kilometers from the transmitter site were obtained from the N.G.D.C. 30-second digitized terrain database and were used for determining the distances to coverage contours. The Cocoa city limits were derived from information contained in the 1990 U.S. Census for Florida. The population within the predicted 41 dBu contour is based on 1990 Census information. The U.S. land area within the predicted 41 dBu contour is based on the use of a computer algorithm.

#### Allocation Study

Interference calculations have been made using the procedures outlined in the FCC's OET-69 Bulletin.<sup>1</sup> Interference calculations for the proposed WTGL-DT operation are summarized below.

Protected NTSC/DTV Station	FCC Service Population	Current Interference	Proposed Interference Population	Proposed Unique Interference Population*
WRBW, DTV-41 allotment, Orlando, FL	2,061,000	--	232 (0.01%)	--
WXPX-DT(App), DTV-42, Bradenton, FL	3,310,815	--	64,415 (1.95%)	62,283 (1.88%)
WXPX, DTV-42 allotment	2,380,000	--	24,282 (1.02%)	--
WJXT-DT(CP), DTV-42, Jacksonville, FL	1,093,513	--	2,404 (0.22%)	--
WJXT, DTV-42 allotment	1,218,000	--	16,036 (1.32%)	--
WBSF, NTSC-43, Melbourne, FL	1,535,260	--	6,447 (0.42%)	--

\*Considers interference "masking" from other authorized NTSC and DTV assignments.

<sup>1</sup> The duTreil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 1 km was employed. An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.

The proposed WTGL-DT operation does not cause calculated interference to any other analog or DTV assignments. Therefore, the proposal complies with the FCC's 2%/10% interference standard.

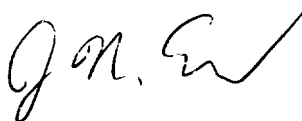
The following is list of those stations used in the interference masking analysis for the application for station WXPX-DT at Bradenton, Florida.

WZVN-TV, DTV-41 allotment, Naples, FL  
WRBW, DTV-41 allotment, Orlando, FL  
WXEL-TV, NTSC-42, West Palm Beach, FL  
WJXT, DTV-42 allotment, Jacksonville, FL

Summary of Requested Facilities

DTV channel	42
ERP	45 kW-DA
Antenna Pattern	Andrew ATW-T2 "tri-lobe" with main lobes at 40°, 170° & 290° True (see Figure 1)
Antenna Radiation Center	528 meters (AMSL) 519 meters (HAAT)
Coordinates (NAD 27)	28-34-52 N, 81-04-30 W
Tower Reg. No.	1057481

If there are questions concerning this technical portion, please contact the office of the undersigned.



Jonathan N. Edwards

du Treil, Lundin & Rackley, Inc.  
201 Fletcher Avenue  
Sarasota, Florida 34237

April 27, 2000



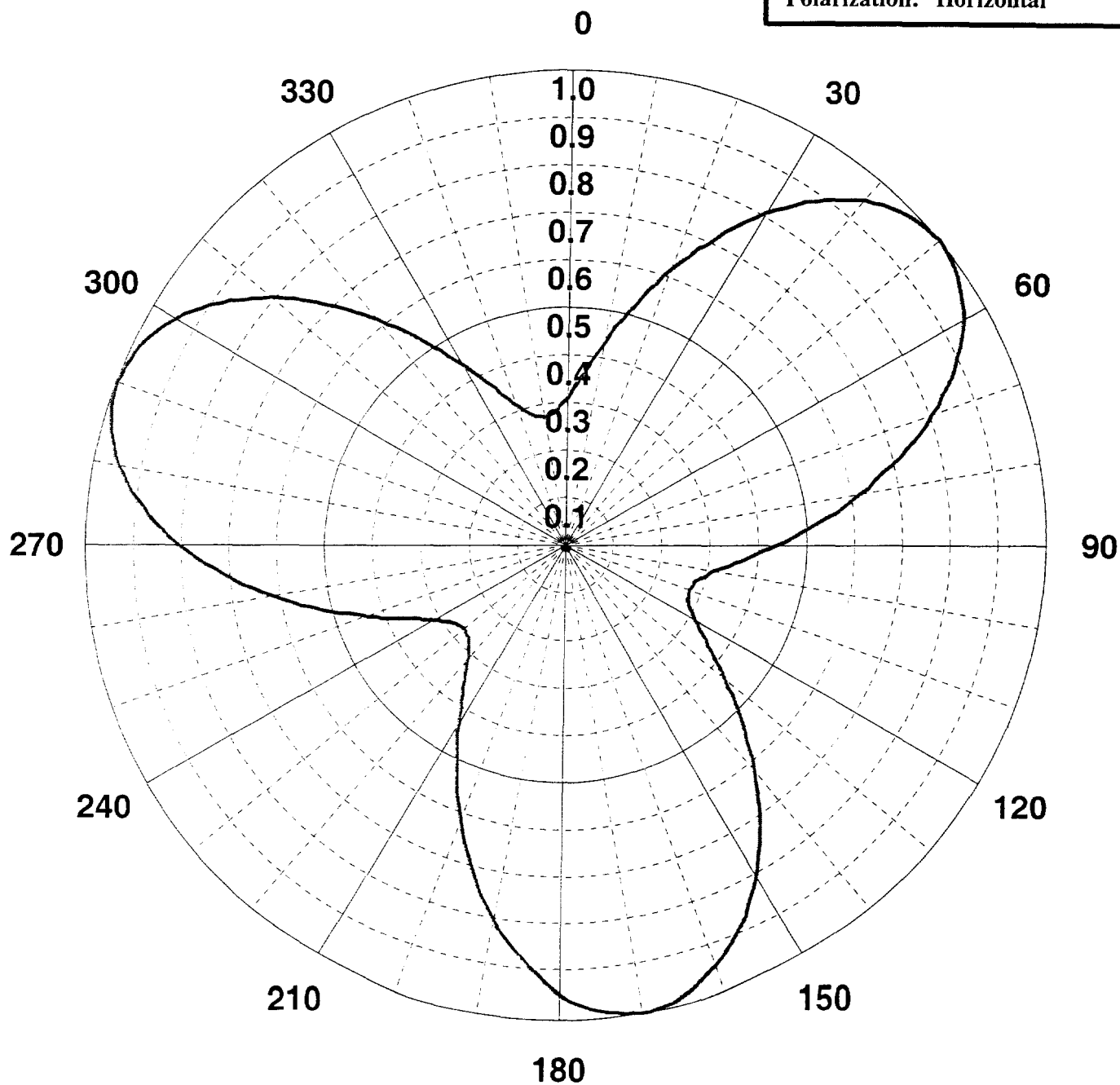
**ANDREW**

Channel: 42

Type: ATW-T2

Gain: 2.18 (3.38 dB)

Polarization: Horizontal



ANDREW CORPORATION  
10500 W. 153rd Street  
Orland Park, Illinois U.S.A. 60462

Date: 4/25/00

TECHNICAL EXHIBIT  
AMENDMENT TO THE PETITION FOR  
RULEMAKING SUPPORTING A NEW  
DTV ALLOTMENT CHANNEL FOR  
STATION WTGL-TV  
COCOA, FLORIDA  
CH 42 45 KW (MAX-DA) 519 M

Tabulation of Horizontal Relative Field Pattern (ref to 0° T)

<u>Azimuth</u>	<u>Relative Field</u>	<u>Azimuth</u>	<u>Relative Field</u>
0	0.311	180	0.948
10	0.434	190	0.807
20	0.617	200	0.617
30	0.807	210	0.434
40	0.948	220	0.311
50	1.000	230	0.272
60	0.948	240	0.311
70	0.807	250	0.434
80	0.617	260	0.617
90	0.434	270	0.807
100	0.311	280	0.948
110	0.272	290	1.000
120	0.311	300	0.948
130	0.434	310	0.807
140	0.617	320	0.617
150	0.807	330	0.434
160	0.948	340	0.311
170	1.000	350	0.272

Figure 2

